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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,357	07/13/2006	Moshe Baru	27048U	1205
20529	7590	05/10/2007		
NATH & ASSOCIATES 112 South West Street Alexandria, VA 22314			EXAMINER HA, JULIE	
			ART UNIT 1654	PAPER NUMBER
			MAIL DATE 05/10/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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DETAILED ACTION

Preliminary amendment filed on October 14, 2005 is acknowledged. Claims 1-27 were cancelled and new claims 28-52 were added. Claims 28-52 are pending in this application.

Election

1. This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Different polymers: polyalkylether, polylactic and polyglycolic acid families;

Different protein or polypeptide sequences: X variables can be any amino acid;

Different protein or polypeptide: prothrombin, Factor VIIa, Factor X, Factor V, Factor IX (FIX), granulocyte colony-stimulating factor (G-CSF), granulocyte macrophage colony-stimulating factor (GM-CSF), interferon γ , glucagons-like peptide 1 (GLP-1) and copaxone;

Different diseases: multiple sclerosis, diabetic neuropathy, senile dementia, Alzheimer's disease, Huntington's chorea, amyotrophic lateral sclerosis, status epilepticus, non-arteritic optic neuropathy and vitamin deficiency.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims

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subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

2. The claims are deemed to correspond to the species listed above in the following manner:

Claims 28, 43, 44, 46, 47 and 50.

The following claim(s) are generic: 28.

3. The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: The polymers are patentably independent or distinct because they have different structures. Further search for one would not necessarily lead to the other. Proteins or polypeptide sequences having X variables where X can be any amino acid are patentably independent or distinct due to their different structures. Further, search for one would not necessarily lead to the other. Different proteins or polypeptides claimed in the claims are patentably independent or distinct due to the different structures and the proteins belonging to different family. Further, search for one would not necessarily lead to the other. Different diseases claimed are patentably independent and distinct because they all have different symptoms and different causes. Further, search for one would not necessarily lead to the other.

4. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Applicants are requested to elect a single disclosed species from different polymers (please see p. 5 of specification), proteins or polypeptide (sequence and actual protein) and a disease to be treated.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

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Conclusion

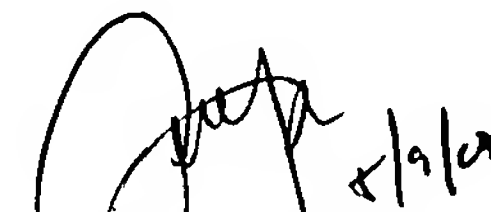
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie Ha whose telephone number is 571-272-5982.

The examiner can normally be reached on Mon-Fri, 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cecilia Tsang can be reached on 571-272-0562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Julie Ha
Patent Examiner
AU1654


ANISH GUPTA
PRIMARY EXAMINER